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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 ADRIENNE BENSON and MARY
11 SIMONSON, individually and on behalf of all
others similarly situated,

12 *Plaintiffs,*

13 v.
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15 DOUBLE DOWN INTERACTIVE, LLC, a
16 Washington limited liability company, and
17 INTERNATIONAL GAME TECHNOLOGY,
a Nevada corporation, and IGT, a Nevada
18 corporation,

19 *Defendants.*
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Case No. 18-cv-00525-RSL

**STIPULATED MOTION RE:
SETTLEMENT FUND AND ORDER**

1 **STIPULATED MOTION RE: SETTLEMENT FUND**

2 The Parties' contemporaneously-filed Settlement Agreement reserved for the Court's
3 resolution a dispute as to the timing of the establishment of the Settlement Fund. *See* Settlement
4 Agreement Recital HH at p. 5. The Parties have now reached a compromise resolving that dispute.
5 Consequently, the Parties respectfully request that the Court enter the attached [Proposed] Order
6 effectuating their compromise. Specifically, the Parties have agreed that:

- 7 1. Fourteen days after the Court's entry of preliminary approval, each of
8 (i) DoubleDown, and (ii) the IGT Defendants shall make a First Payment of fifty
9 million dollars (\$50,000,000) into the Settlement Fund, such that the Settlement
10 Fund shall then have one hundred million dollars (\$100,000,000) in it. Defendants
11 shall make the First Payments by initiating a wire transfer to the Settlement
12 Administrator on the fourteenth day after the Court's entry of preliminary approval.
13 The Settlement Administrator shall provide wire transfer instructions to Defendants
14 on or before the date of preliminary approval.
- 15 2. Plaintiffs shall cause the Settlement Administrator to invest the First Payments in
16 the Settlement Fund, net of the costs of notice, into 26-week maturity United States
17 treasury bills within seven days of receipt of the First Payments.¹ If the "High
18 Rate" published on treasurydirect.gov in connection with the auction for 26-week
19 treasury bills that occurs immediately following the date on which the Court issues
20 preliminary approval (*i.e.*, the Monday or Tuesday following the Court's order) is
21 less than 3.5 percent, then Defendants shall have the right to withdraw from this
22 Stipulation. Following the investment of the First Payments, the Settlement
23 Administrator shall provide written confirmation to Defendants regarding the
24 details of the investment and that the investment was made.
- 25 3. Interest and/or yield earned on the First Payments shall be applied to reduce the
26 amount of the Final Payments owed by the Defendants following final approval, as
27 calculated below.
4. Within fourteen days of the Court's entry of final approval, each of
(i) DoubleDown, and (ii) the IGT Defendants, shall make a Final Payment into the
Settlement. The amount of each Final Payment shall be calculated as (i) the amount
of that Defendant's individual contribution responsibility, as set forth in Section
1.37 of the Settlement Agreement, (ii) minus half of the total value² of the
Settlement Fund as of fourteen days after the Court's entry of final approval.

1 ¹ In the event that the Court does not enter final approval before the 26-week maturity United States treasury
24 bills have matured, the Settlement Fund shall then be placed in money-market United States treasury bills.

2 ² The total value of the Settlement Fund as of fourteen days of the Court's entry of final approval shall be
25 calculated by the Settlement Administrator, subject to the Court's review should any party object. The total value shall
26 be calculated by the Settlement Administrator as the sum of (i) the notice costs paid and deducted from the Settlement
27 Fund pursuant to Paragraph 2 above, plus (ii) the value of the Settlement Fund immediately prior to the Final
Payments, assuming—even if the 26-week maturity United States treasury bills have not yet matured—that all yield
to be earned by the treasury bills were evenly distributed across the term of those treasury bills.

5. In the event that the Court enters an order denying with prejudice final approval of the Settlement Agreement, all money in the Settlement Fund, including all interest and/or yield earned, shall be returned in equal amounts to DoubleDown and the IGT Defendants.

Pursuant to Local Civil Rule 10(g), the Parties respectfully request that the Court grant this stipulation and enter the attached Order.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 11th day of November, 2022.

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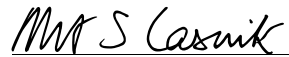
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ORDER

Pursuant to Stipulation, it is SO ORDERED.

Dated this 14th day of November, 2022.



Robert S. Lasnik
United States District Judge